File No. 253

19 31.

Collection No.

Mysore Residency

Bangalore.

Pros. Serial Nos. 1-9

Subject.

Report on the audit of the Bowring and Lady Curzon and Isolation Hospitals.

Levy of fees from patients in Isolation Hospital, Bangalore.

Previous References.

F.No.159 of 1919.

Later References.

5 38/34

767/35

S. 97. (Blue).

DCFP—1658S&P—(M-1937)—19-12-32—60,000.

NOTES AND PRECIS.

S.N. 1.

Letter No. Bang. Audits. 3-5-137, dated the 19th 1931, from the Audit Officer, Experiments, Bangalore.

Report on the audit of the Bowring and Lady Curzon and Isolation Hospitals for half year ended 31st March, 1931.

Please see Rule 12 of the rules published with the proceedings of the Hon'ble the Resident No. 991, dated the 1st February, 1926, in which provision is made for the levy of fees for the use of Motor Ambulance in the Bowring and Lady Curzon Hospitals. Similar rules have not yet been framed for the Isolation Hospital.

The Audit Officer states that motor ambulance fee at Rs. 2-8-0 on each occasion was recovered from two patients on the 22nd February, 1931, and 2nd March, 1931, but all other cases were treated as non-paying. He therefore considers that some definite orders appear to be called for on the question of levy of fees in the Isolation Hospital and for the use of Motor Ambulance.

The Municipal Commission, Civil and Military Station, Bangalore, bear ¼th of the cost of the Isolation Hospital.

A copy of the P.U.C. may perhaps be sent, in the first instance, to the Residency Surgeon, Bangalore, and the President, Municipal Commission, Civil and Military Station, Bangalore, for favour of remarks.

Draft submitted for approval.

T. N. Thangavelu
Secretary.
2-9-6-1931

S.N. 2.

Issued No. 4109, dated the 9th June, 1931.

10 Please let me know today all about the Lady Curzon and Bowring hospital. It is one hospital presumably. How do the two names arise, When was it or were they built.? Who provided funds? Is there one staff ? What is the cost of upkeep. Who provides the funds.? What feed are collected from patients.? What is the size of the staff?

Ex. 4/7

Bowring Hospital.

11 The Bowring Hospital was built, at the suggestion of the Chief Commissioner of Mysore and with the sanction of the Government of India, for the Cantonment of Bangalore and its suburbs only, and the Madras Government in the Military Department gave the site (or ~~grant~~ part of it which was military land) free to the Mysore Government for the purpose. It was built and kept up out of public revenue.

S.N.7/365-1886. slip S

At rendition the British Government took the place of the Mysore Government in respect of the Hospital and all other property in the Assigned Tract. Till 1st April, 1883 it was maintained out of the Assigned Tract revenues when it was transferred to the control of the Municipality. The Bowring Civil Hospital was re-transferred ~~again~~ from the Municipality to Government from the 1st April 1899. From that date the Hospital is being maintained from Assigned Tract revenues.

Vide para.21 of Bangalore Treasury Manual. Page 21. slip L.

Lady Curzon Hospital.

12

S.N.11A/449-1900. slip T.

The Hospital was opened by Her Excellency Lady Curzon on the 10th December 1900 for women and children. The following gentlemen contributed Rs.48,000/- for the construction of several wards etc. in the Lady Curzon Hospital. -

	Rs.
(1) Mr. Maigendadeva Mudaliar.	15,000
(2) Mr.V.Gangathara Chettyar.	9,000
(3) Mr. B.P.Annasamy Mudaliar.	11,000
(4) Rao Bahadur Arcot Narainsamy Mudr.	5,000

		Rs.
	B.F.	40,000
(5) Mr.Hajee Ismail Sait.		3,000
(6) Mr.B.N.Dharabset.		5,000
	Total.	48,000

The cost of the rest of the buildings was met from the Assigned Tract revenues.

The Bowring Hospital is intended for males and the Lady Curzon Hospital is intended for women and children. They are therefore treated as two separate hospitals.

13 When was it or were they built?

The construction of the Bowring Hospital was undertaken in 1865 and was completed in February 1868.

S.N.59/732-1885. (K) The Lady Curzon Hospital was completed in 1900.

S.N.2/449-1900 14 Who provided funds ?

The initial expenditure for the Bowring Hospital was met by the Mysore Government. The cost of additions and alterations made after 1st April 1899 was met from Assigned Tract Revenues.

As stated above the cost of Lady Curzon Hospital was partly met by contribution and partly from Assigned Tract Revenues.

15 Is there one staff ?

The Bowring and Lady Curzon Hospitals have got separate establishments. For budget purposes the establishments are shown as one. - Vide S.N.10/208-1930.

Slip Q. M

16 What is the cost of up-keep ?

The cost of the up-keep of the hospitals is given below:-

	Actuals. 1929-30.	Revised estimate for 1930-31.	Budget estimate for 1931-32.
Total expenditure under Hospitals & Dispensaries. (Includes cost of Forest Inoculation Hospitals)	3,29,919	3,12,200	2,68,700

17 Who provides the funds?

Funds are provided by the Resident in the Assigned Tract

Tract budget on the recommendation of the Residency Surgeon, Bangalore.

18 What fees are collected from patients ?

The fees are collected from the patients according to the rates prescribed in the Resident's Proceedings No. 991, dated the 1st February 1926 as subsequently amended. The fees collected during the past 4 years and the budget estimates for 1931-32 are given below:-

Slip A.

	Actuals.			Revised estimate for	Budget estimate
	1927-28. Rs.	1928-29. Rs.	1929-30. Rs.	1930-31. Rs.	for 1931-32 Rs.
XXII-Medical.	20,173	18,943	18,189	21,000	23,500

19 What is the size of the staff ?

The strength of the staff is given by the Residency Surgeon at S.N.10/c/208-1930 - vide slips N,Q.

Submitted.

T. N. Thangavelu Mudaliar.
14-7-1931.

Secretary.

31/7

CORRESPONDENCE.

No. Bang. Audits 15-3-137

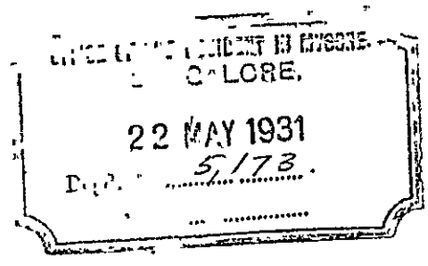
Office of the Audit Officer,
Experiments,
"Mayo Hall", Bangalore.
Dated 19th May 1931.

From

The Audit Officer,
Experiments,
Bangalore

To

The Secretary to the Resident
in Mysore,
Bangalore.



Sir,

Report on the audit of the Bowring and Lady Curzon and Isolation Hospitals for half year ended 31-3-1931.

I have the honour to inform you that the audit of the accounts of the above hospitals for the half year ended 31-3-1 was conducted from the 30th April 1931 to the 9th instant and that the only point which requires to be brought to the notic of the Hon'ble the Resident is the question of levy of fees in the New Isolation Hospital.

2. It is understood that there is no intention of levying any fees from patients in the new hospital as was the practice in the old one. It was, however, noticed that motor ambulance fee at Rs.2/8/0 on each occasion was recovered from two patients on 22-2-1931 and 2-3-1931 but all other cases were treated as non-paying. Some definite orders appear to be called for on the question of levy of fees in the hospital and for the use of the Motor Ambulance which is an addition since the new hospital was opened and if the intention is not to recover any fees at all, the approval of the Government of India may kindly be obtained for the same unless there are already any definite orders on the point.

3. Minor points which could not be settled locally during

audit are being communicated in a separate audit notes to the Residency Surgeon for necessary action.

I have the honour to be,

Sir,

Your obedient servant,

Audit Officer.

R.S. 19/5

DEPARTMENT.

BRANCH.

File No. 253

Serial No. 1931/2

Draft ~~Letter~~ Memorandum ~~Telegram~~

Class for telegrams: Ordinary / Express / Urgent* / Priority / Clear Line† — *Only for Foreign Telegrams. †Not for Foreign Telegrams.

To be issued on | Issued on

1st Reminder

2nd Reminder

3rd Reminder

Heading :

Case or Diary No.

If post copy of telegram required

Date of despatch of above

List of enclosures

(Code word for telegrams.)

No. 4189 Dated 9th June 1931.

To

*

A copy of the marginally noted letter is forwarded to the ----------

Residency Surgeon, ~~Bangalore~~

President, Municipal Commission,

Civil and Military Station, Bangalore,

for favour of remarks.

(2. The Residency Surgeon, ------ Bangalore, is requested to submit, if necessary, for the consideration of the Hon'ble the Resident, draft rules for the levy of fees in the Isolation Hospital, Bangalore.)

Secretary to the Resident.

T. N. Thangavelu

29-5-1931

Letter No. Bang. Audits. 3-5-137, dated the 19th May, 1931, from the Audit Officer, Experiments, Bangalore.

S.N. 1.

P. T. L.

Ed Rel 8.6.31

S. 5!

MGIPC—S1—1331(G1)DCF—(G-502)—17-8-28—40,000 Pads.

No. 786/121.

Residency Surgeon's Office
Bowring Civil Hospital
Bangalore 12th. J u ne 1931

From

Bt-Colonel J.McPherson,M.A.,M.B.,F.R.C.S.E.,M.R.C.P.,
I.M.S.,
Residency Surgeon.

To

The Secretary

to the Resident in Mysore,

B a n g a l o r e.

Subject:-

Report on the audit of the Bowring & Lady Curzon and Isolation Hospitals for half year ended 31-3-1931.

Sir,

(H) S.N.2

S.N.1

(G)

With reference to your No.4109/253-1931, dated the 9th. June 1931 forwarding copy of letter No.Bang-Audits-3-5-137,dated the 19th. May 1931,from the Audit Officer,Experiments,Bangalore, for information and necessary remarks, I have the honour to inform you that the patients suffering from infectious diseases are removed, not only in the interest of the patients and inmates of the house where such patients are but also for the safety of the people in the locality. Sometimes such patients are removed to the Isolation Hospital against their will, agreeably to the Bye-Law of the Municipality Sec.No.125 and in all cases, the removal is made in the public interest. Under these circumstances, I am of opinion that no fee should be recovered for the use of the Motor Ambulance and for diets from patients seeking admission into the Isolation Hospital. I therefore request that the Hon'ble the Resident be pleased to address the Government of India to obtain this exemption.

I have the honour to be

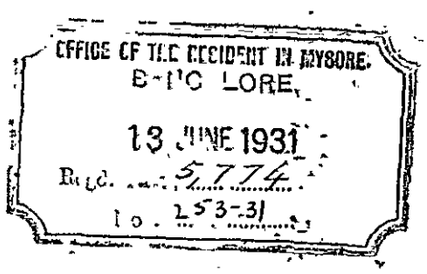
Sir,

Your most obedient servant

J. McPherson.

Colonel.,I.M.S.,

Residency Surgeon , Bangalore



H. O.
14 2,000—17—9—1930.

4

No. Gl. 58/31

CIVIL AND MILITARY STATION, BANGALORE.
MUNICIPAL OFFICE.
DATED 17th June 1931.

From

R. S. Milton, Esq.,
~~G. H. COOKE, ESQ., M. C., I. C. S.,~~
President, Municipal Commission,
C. & M. Station, BANGALORE.

To

The Secretary to the Hon'ble the Resident in Mysore,
BANGALORE.

SIR,

Subject:-Levy of fees from patients in the new Isolation Hospital.

With reference to your memorandum No.4109/253-1931, dated the 9th June 1931, forwarding a copy of letter No. Bang. Audits No.3-5-137, dated the 19th May 1931, from the Audit Officer, Experiments, Bangalore, on the above subject, for my remarks, I have the honour to state that I am not in favour of the levy of fees for the reason that patients do not generally go to the Isolation Hospital for treatment of their own accord. In fact, they are segregated there for the safety of the public and this is probably the reason why the imposition of fees was considered unnecessary.

S.N.2 (H)
S.N.1 (H)

OFFICE OF THE RESIDENT IN MYSORE.
BANGALORE.
19 JUNE 1931
Regd. No. 5982
No. 253-31

I have the honour to be,
Sir,
Your most obedient servant,

R. S. Milton
PRESIDENT, M. C.

DIW.
19.6.31.

No. 4888
253-1931.

From

The Hon'ble Lieutenant Colonel R.J.C.Burke,
Resident in Mysore.

To

The Political Secretary to the Government of India,
Foreign and Political Department.

Dated Bangalore 10th July, 1931.

Levy of fees from patients in the new Isolation Hospital, Bangalore.

Sir,

I have the honour to refer to your memorandum No. 312 (14)-E/28, dated the 7th April, 1930, according sanction, with effect from the 1st April, 1930, to the entertainment of additional establishments for the new Isolation Hospital, Civil and Military Station, Bangalore, and to certain recurring and non-recurring expenditure connected therewith.

2. The audit of the accounts of the Bowring, Lady Curzon and Isolation Hospitals for the half year which ended on the 31st March 1931, was conducted by the Audit Officer, Experiments, Bangalore who brought to my notice the question of levy of fees in the new Isolation Hospital. The Audit Officer states that in the course of the audit of the accounts of the Isolation Hospital, it was noticed that motor ambulance fee at Rs.2/8/- on each occasion was recovered from two patients on 22nd February 1931, and 2nd March 1931, but all other cases were treated as non-paying He considers that some definite orders are called for on the question of levy of fees in the hospital and for the use of the motor ambulance which is an addition since the new hospital was opened and if the intention is not to recover any fees at all, the approval of the Government of India may be obtained for the same.

3. The patients suffering from infectious diseases are removed, not only in the interest of the patients and inmates of the house where such patients are, but also for the safety of the people in the locality. Sometimes such patients are removed to the Isolation Hospital against their will, agreeably to Section 125 of the Bangalore Municipal Law, 1897, and in all cases, the removal is made in the public interest. Therefore there is no intention of levying any fees from patients in the new Isolation Hospital as no fees were levied in the old one. The Residency Surgeon and the President, Municipal Commission, Civil and Military Station, Bangalore, who were consulted in the matter are of opinion that no fees should be recovered for the use of the motor ambulance and for diets etc. from patients seeking admission into the Isolation Hospital.

4. In the circumstances I request that the Government of India may be pleased to approve of the proposal not to recover any fee for the use of the Motor Ambulance and for diets etc. from patients seeking admission into the Isolation Hospital.

I have the honour to be,

Sir,

Your most obedient servant,

Lieut. Col.

RESIDENT.

BJ

8

From- The Under Secretary to the Government of India
in the Foreign and Political Department,

To - The Hon'ble the Resident in Mysore.

Memorandum No. F.144(3)-E/31.
Dated Simla, the 14th September 1931.

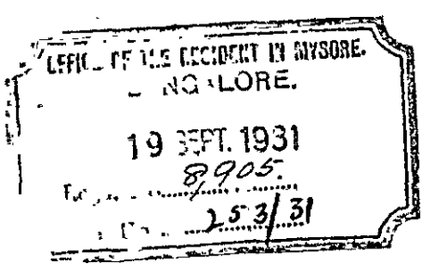
Levy of fees from patients in the new Isolation Hospital, Bangalore.

....

S.N.S (L)

Reference your letter No. 4888/253-1931, dated the 10th July 1931.

2. In the circumstances explained the Government of India are pleased to sanction your proposal that no fees should be recovered for the use of the motor ambulance and for diets etc., from patients seeking admission into the Isolation Hospital, Bangalore. There is however no objection to the acceptance of such fees from patients who are able and willing to pay.



Under Secretary to the Government of India.

Copy, with a copy of the letter replied to, to the Director General, Indian Medical Service; for information.

(With 1 spare copy).

9

No. 7302 / Encl. 1.

Office of the Resident in Mysore,
Bangalore 8th ~~Oct.~~ Oct. 1931.

Memorandum No.F.144(3)-E/31, dated 14-9-1931, from the Government of India in the Foreign & Political Department.

S.N.8
P.U.C.

A copy of the marginally noted memorandum, together with a copy of the letter to which it is a reply, is forwarded to the

1.Residency Surgeon,
2.President, Municipal Commission,
3.Pay and Accounts Officer,
4.Audit Officer, Experiments,

Civil and Military Station, Bangalore,

for information (with reference to his letter No. 786/121, dated the 12th June 31; Gt.58/31, dated the 17th -do- Bang.Audt.3-5-137, dated 19-5-31.

S.N. 5 - Slip L.

S.N.3 slip K
S.N.4 " J
S.N.1.Slip G

() To items 1,2 & 4 only.

for Secretary to the Resident.

Tr. N. Thangavelu Mudaliar.
22-9-1931.

File No. 256

19 31 .

Collection No.

Mysore Residency

Bangalore.

Pros. / Serial Nos. 1-10

(K)

Subject.

Adjustment of charges between the Mysore Assigned Tract and other Governments in respect of travelling allowance to Mysore Assigned Tract Police Officers for escorting prisoners and for giving evidence in the courts of other provinces.

Previous References.

F.No.184 of 1885

Later References.

F.No. ~~457 of 1934~~.

PD. 477/39

PD 533/40.

S. 97. (Blue).

DCFP—576S&P—(G-745)—23-9-30—50,000.

NOTES AND PRECIS.

S.N. 1. Letter No. P. 562, dated the 14th May, 1931, Pay and Accounts Officer, Bangalore.

A copy of the P.U.C. may perhaps be sent to Commissioner of Police, Civil and Military Station, Bangalore, through the District Magistrate, for favour remarks.

Draft submitted for approval.

T. N. Thangavelu
Secretary. Mudaliar.
1-6-1931.

S.N. 2. Issued No. 4112, dated the 9th June, 1931.

S.N. 3. Letter No. 907/A/31, dated the 18th June, 1931, from the Commissioner of Police, Civil and Military Station, Bangalore.

Please see S.N. 1 and 2.

The Commissioner of Police states that there is no objection to the arrangement proposed by the Pay and Accounts Officer Bangalore, being introduced in the Civil and Military Station, Bangalore.

The Government of India may be addressed in the matter as suggested by the Pay and Accounts Officer-vide S.N. 1. Draft submitted for approval.

T. N. Thangavelu
Secretary. Mudaliar.
27-6-1931.

Submitted with fair.

Resident.

S.N. 4. Issued No. 4637, dated the 1st July, 1931.

S.N. 5. Memorandum No. D. 2768-E/31, dated the 27th August, 1931, from the Government of India in the Foreign and Political Department.

Please see S.N. 1, 3 and 4.

Draft endorsement is submitted for approval.

T. N. Thangavelu Mudaliar
1-9-1931.

Secretary.

Issue & Resident's Office

S.N.6 Issued No,6514 dated the 9th September,1931.

Submitted.

Resident.

S.N.7. Letter dated the 11th November, 1931, from the Secretary to the Government of Madras, Law (General) Department.

Please see S.N. 4 and 5.

Further communication from the Government of Madras may be awaited. Meanwhile the file may be sent U.O. to the Registrar, Resident's Court for such action as may be considered necessary.

T. N. Thangavelu Mudaliar
11-11-1931.

Secretary.

U.O. No. 8357
19th November 1931

To

The Registrar, Resident's Court, U.O.

On receipt of a copy of the rules referred

referred to in the P. U. C., the question of incorporating a similar rule in the Criminal Rules of Practice in force in the C. and M. Station may be taken up. A copy of the Govt. of India memorandum sanctioning the new arrangement, together with a copy of the letter to which it was a reply, was forwarded to the local officers mentioned in S.N.6. In continuation of that, a copy of the ~~P.U.C. with~~ to P.U.C enclosure may now be forwarded to them. Copies of the papers may also be sent to the Sessions Judge, Ci and M. Station, for his information.

Two drafts submitted for approval.

(2)-S.N.5
(3)-S.N.4
(11)-S.N.6

Kora Chandy
18-12-31

Nayak
19-12-31

23/12

28.12.31

S.Nos.8&9 Issued Nos.290 and 291 dated the 14th Jan.1932.

S.N. 10. Letter dated the 2nd May, 1932, from the Secretary to the Government of Madras, Law (General) Department.

Please see S.N. 7, 8 and 9 and the notes in paras 6 and 7.

The file may be sent U.O. to the Registrar, Resident's Court for such action as may be considered necessary.

R.C. No. 4629
13th July 1932

T. N. Thangavelu Mudaliar
9-7-1932.

Superintendent.

Court of the Hon'ble the Resident in Mysore & Judicial Commissioner of Coorg.
Bangalore.

No. (U.O.) 207
Dated. 13-7-32

CORRESPONDENCE.

Telegraphic Address: Bangacts, BANGALORE.

GOVERNMENT OF INDIA,
The Pay and Accounts Office,
BANGALORE.

Telephone: Office 47

Ref. No. P. 562

Enclosures

OFFICE OF THE RESIDENT IN MYSORE.
BANGALORE.
18 MAY 1931
Regd. No. 5000
No. 256/31.

14th May 1931.

To

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

Subject:- Adjustment of charges under Art.33 (A) (2) (c) of the Civil Account Code, Vol. I, between Mysore Assigned Tract and other Governments in respect of the travelling allowance to Mysore Assigned Tract Police Officials for escorting prisoners and for giving evidence in the courts of other Provinces.

Sir,

I have the honour to state that under Article 33 (A) (2) (c) of the Civil Account Code, Volume I, transactions concerning two Governments are adjustable by mutual agreement between the parties. It is however open to the Governments concerned to forego their claims against other Governments either because the amounts involved are insignificant or for any other reason such as reciprocity.

The travelling allowance charges of the Police Officers of the Civil and Military Station, in respect of escort of prisoners of other Provinces and for giving evidence in the courts of other Provinces, should, according to the above rule, be charged under the terms of the mutual agreement. But such charges are being debited to the Mysore Assigned Tract revenues instead of to the Governments concerned even in the absence of a specific understanding to the contrary under Article 33-A (2) (c) of the Civil Account Code, Volume I.

The Madras Government have decided to forego their claims against other Governments in regard to escort charges on the ground that the expenditure incurred on behalf of other Governments is not considerable, but subject to the proviso that if any Government presses such claims, then counter-claims may be presented against that Government. There however seems to be no such convention as regards the travelling allowance charges for giving evidence in Courts of other Provinces.

P.T.O.

As the travelling allowance charges of the Police Officials of the Civil and Military Station for escorting prisoners of other Provinces or for giving evidence in the Courts of other Provinces, would not be considerable, the recovery of the charges from the Governments concerned may, perhaps, be foregone as is done by the Madras Government in the case of escort charges.

Such an arrangement would however require the sanction of the Government of India under Article 33-A (2) (c) of the Civil Account Code, Volume I. The approval of the Government of India may therefore kindly be obtained if there is no objection to introduce the proposed arrangement in the Civil and Military Station.

I have the honour to be,

Sir,

Your most obedient servant,

Pay and Accounts Officer.

DEPARTMENT.

BRANCH.

File No. 25/19

Serial No. 2

Draft ~~Letter~~ / Memorandum / Telegram

No. 4112 Dated 9th June 1931

Class for telegrams — Ordinary / Express / Urgent* / Priority / Clear Line† — *Only for Foreign Telegrams. †Not for Foreign Telegrams.

To be issued on | Issued on

1st Reminder

2nd Reminder

3rd Reminder

Heading:

Case or Diary No.

If post copy of telegram required

Date of despatch of above

List of enclosures

(Code word for telegrams.)

To

*

A copy of the marginally noted letter is forwarded to the Commissioner of Police, Civil and Military Station, Bangalore (through the District ------ Magistrate, Civil and Military Station Bangalore), for favour of remarks.

*Letter No. P. 562, dated the 14th May, 1931, from the Pay and Accounts Officer, Bangalore. R. N. I.

P. W. 6.

Secretary to the Resident.

T. N. Thangavelu
Munshi
1-6-1931.

8.6.31

S. 5.

M.G.P.C.—81-728(H)D.C.F.—(G.S.S.)—11-7-29—50,000 Pads.

OFFICE OF THE COMMISSIONER OF POLICE,
CIVIL AND MILITARY STATION, BANGALORE.

No. 907/A31. *Dated* 18—6—1931.

FROM R. S. Milton, Esquire,

COMMISSIONER OF POLICE,

CIVIL AND MILITARY STATION,

BANGALORE.

To

The Secretary to the Hon'ble

the Resident in Mysore,

BANGALORE.

SIR,

S.P.-12 (B)

With reference to your memorandum No. 4112/256-1931 dated 9th June 1931, I have the honour to state that there is no objection to the arrangement proposed by the Pay and Accounts Officer, Bangalore being introduced in the Civil and Military Station of Bangalore.

I have the honour to be,

Sir,

Your most obedient servant,

R. S. Milton

COMMISSIONER OF POLICE.

OFFICE OF THE RESIDENT IN MYSORE.
BANGALORE.
19 JUNE 1931
Regd. 5971
256-31

4

No. 4637
256-1931.

From

The Hon'ble Lieutenant Colonel R.J.C.Burke,

Resident in Mysore.

To

The Political Secretary to the Government of India,

Foreign and Political Department.

Dated Bangalore, 1st July 1931.

Adjustment of charges under Article 33A (2)(c) of the Civil Account Code, Volume I between Mysore Assigned Tract and other Governments in respect of the travelling allowance to Mysore Assigned Tract Police Officials for escorting prisoners and for giving evidence in the courts of other Provinces.

Sir,

I have the honour to state that under Article 33A (2)(c) of the Civil Account Code Volume I, transactions concerning two Governments are adjustable by mutual agreement between the parties. It is however open to the Governments concerned to forego their claims against other Governments either because the amounts involved are insignificant or for any other reason such as reciprocity.

2. The travelling allowance charges of the Police Officers of the Civil and Military Station, in respect of escort of prisoners of other Provinces and for giving evidence in the courts of other Provinces should according to the above rule, be charged under the terms of the mutual agreement. But such charges are being debited to the Mysore Assigned Tract Revenues instead of to the Governments concerned even in the absence of a specific understanding to the contrary under Article 33A (2) (c) of the Civil Account Code, Volume I.

3. The Madras Government have decided to forego their claims against other Governments in regard to escort charges on the ground that the expenditure incurred on behalf of the other

Governments

Governments is not considerable, but subject to the proviso that if any Government presses such claims, then counter-claims may be presented against that Government. There however seems to be no such convention as regards the travelling allowance charges for giving evidence in the Courts of other Provinces.

4. As the travelling allowance charges of the Police Officials of the Civil and Military Station, for escorting prisoners of other Provinces or for giving evidence in the Courts of other Provinces, would not be considerable, the recovery of the charges from the Governments concerned, may be foregone as is done by the Madras Government in the case of escort charges.

Such an arrangement would however require the sanction of the Government of India under Article 33A (2)(c) of the Civil Account Code, Volume I. I request that the Government of India, may be pleased to approve of the above proposal.

I have the honour to be,

Sir,

Your most obedient servant,

o/c Sd/ R.C. Bruce.

Lieut. Col.

RESIDENT.

BJ

From - The Under Secretary to the Government of India
in the Foreign and Political Department,

To - The Hon'ble the Resident in Mysore.

Memorandum No. D.2768-E/31.

Dated Simla, the 27th August 1931.

Adjustment of charges between the Mysore Assigned Tract and other Governments in respect of travelling allowance to Mysore Assigned Tract Police Officers for escorting prisoners and for giving evidence in the courts of other provinces.

(2) S. N. 4

Reference your letter No. 4637/256-1931, dated the 1st July 1931.

In the circumstances explained the Government of India are pleased to sanction the proposed arrangement by which the Mysore Assigned Tract Revenues will forego claims against other Governments in respect of travelling allowance charges of police officials of the Civil and Military station Bangalore, for escorting prisoners of other provinces and for giving evidence in the courts of other provinces, provided that other Governments forego similar claims against the Mysore Assigned Tract revenues.

S. L. Gupta

Under Secretary to the Government of India.

OFFICE OF THE RESIDENT IN MYSORE
BANGALORE.
31 AUG. 1931
Regd. No. 8328.
File No. 256/31

(with 1 spare copy)

6

DEPARTMENT.

BRANCH.

File No. 256/1931.

Serial No.

Draft ~~Letter~~ Memorandum Telegram

No. 6574 Dated 9th Sept 1931.

Encl. 2

Class for telegrams: Ordinary / Express / Urgent* / Priority / Clear Line†

*Only for Foreign Telegrams.

†Not for Foreign Telegrams.

To be issued on | Issued on

1st Reminder

2nd Reminder

3rd Reminder

Heading:

Case or Diary No. R.N.4. (d)

If post copy of telegram required

Date of despatch of above

List of enclosures

(Code word for telegrams.)

To

A copy of the marginally noted memorandum, together with a copy of the letter to which it is a reply, is forwarded to the ----------

1) District Magistrate,

2) Commissioner of Police,

3) Pay and Accounts Officer,

4) Audit Officer, Experiments,

Civil and Military Station, Bangalore,

for information. (with reference to his letter ~~No. 907/A/31, 18th June 1931~~ No. P.562, dated 14th May, 1931.)

Secretary to the Resident.

T. N. Thangavelu Mudaliar 1-9-1931

Memorandum No. D. 2768-E/31, dated the 27th August, 1931, from the Government of India in the Foreign and Political Department.

R.N.5

( ) To Nos. 2 & 3 only. R.N.3

R.N.1. (A)

S. 5.

MGIPC—S1—768(H)DCF—(G-343)—11-7 29—50,000 Pads.

Sectt. II-14—4,000—1932-30.

FORT ST. GEORGE,
~~OOTACAMUND.~~

11th November 1931.

From

M.R.Ry. Rao Bahadur V.N.Viswanatha Rao Avargal, M.A.,B.L.,

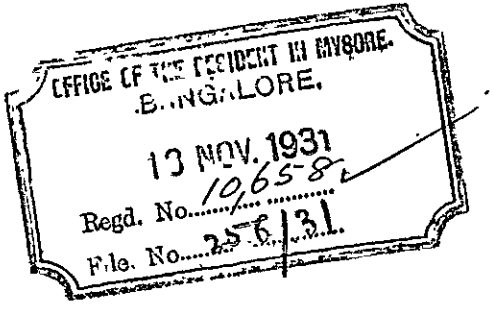
SECRETARY TO THE GOVERNMENT OF MADRAS,
Law (General) DEPARTMENT,

To

THE Hon'ble the Resident in Mysore.

SIR,

I am directed to forward the enclosed ~~proceedings~~ Letter of the Madras Government, No. 4830-A-2, dated the 11th November 1931.



I have the honour to be,
Sir,
Your most obedient servant,

Ramanujachari
For Secretary.
11/11

Law (General) Department.

No.4830-A-2.

From

H.R.Ry. Rao Bahadur V.N.Viswanatha Rao Avargal, M.A.,B.L.,
Secretary to the Government of Madras.

To

The Hon'ble the Chief Justice of
the High Court of Judicature at Madras.

Dated, Fort St. George, the 11th November 1931.

Hon'ble Sir,

Criminal Rules of Practice - Payment of batta to police officials of the Civil and Military Station, Bangalore.

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I am directed to say that the Government have entered into a reciprocal arrangement with the Government of India representing the Mysore Assigned Tract (Civil and Military Station, Bangalore) under which police officials of one Government appearing as witnesses before criminal courts of the other will be paid travelling allowance and batta at their own rates by the Government under whom they are serving, on production of certificates of attendance issued by the courts before which the officials appear as witnesses. I am to request that the Hon'ble the Judges will be so good as to forward a draft rule to the above effect for incorporation in the Criminal Rules of Practice.

I have the honour to be,
Hon'ble Sir,
Your most obedient servant,

Sd. V.N.Viswanatha Rao.

Secretary to Government.

Copy to the Accountant General, (T.S Section) with reference to his letter No.Pol.111-411, dated 3-10-1931.
Copy to the Government of India, Foreign and Political Department, with C.L. (with reference to their Memorandum No.D.2768-E/31, dated 27-8-1931 to the Hon'ble the Resident in Mysore).
Copy to the Hon'ble the Resident in Mysore, with C.L.(with reference to his letter No.4637/256-1931, dated 1-7-1931 to the Government of India.)

Forwarded.
(By order)
True copy
Superintendent.

S.N.7
A

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* No.4830-A-2, dated the 11th November, 1931, from ~~the~~ Secretary to the Govt. of Madras, Law (General) Deptt., to the Hon'ble the Chief Justice of the High Court of Judicature at Madras,

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(@) To No.3 only.

Encl. 5
Rec'd
S.N.7

× S.N.6

(4)

2.
AR
17/1

18

No 290
Encl 1

14th Jan. 1932

*

A copy of the marginally noted letter, is forwarded to :-

1. The District Magistrate,

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2. The Commissioner of Police, Civil and Military Station, Bangalore,

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3. The Accountant-General, Madras, for information, in continuation of endorsement from this office No. × 6514, dated the 9th September, 1931. (to the Pay and Accounts Officer, @ Bangalore)

28/12

for Secretary to the Resident.

ke
19/12/31

K. Nayar
19-12-31.

23/12

No. 291 14th Jan. 1932

A copy of the marginally noted papers, is forwarded to the Sessions Judge, Civil and Military Station, Bangalore, for information.

for Secretary to the Resident.

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* No.4637/256-1931, dated the 1st July 1931, from this Residency to the Govt. of India in the Foreign & Political Department.

† No.D.2768-E/31, dated the 27th August 1931, from the Govt. of India in the Foreign & Political Department.

° No.4830-A-2, dated the 11th November 1931, from ~~the~~ Secretary to the Govt. of Madras, Law (General) Deptt., to the Hon'ble the Chief Justice of the High Court of Judicature at Madras.

Sectt. II-14—4,000—27-11-31.

Fort St. George,
~~October~~
2nd May 1932.

From

M.R.Ry. Rao Bahadur V. N. Viswanatha Rao Avl., M.A., B.L.,

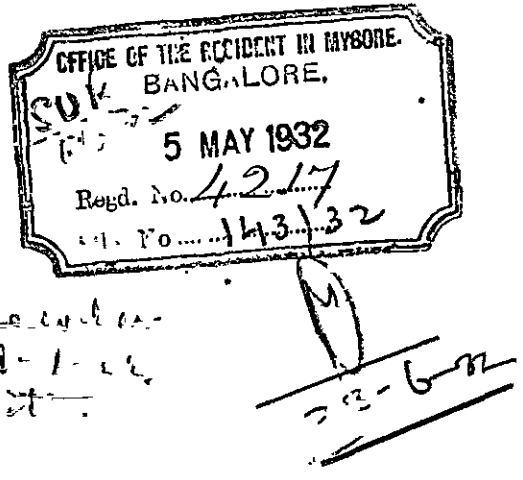
Secretary to the Government of Madras,
Law (General) Department,

To

The Hon'ble the Resident in Mysore.

Sir,

I am directed to forward the enclosed proceedings of the Madras Government, No. MS.1781, dated the 2nd May 1932.



I have the honour to be,
Sir,
Your most obedient servant,

for Secretary.

Government of Madras.

Received.....1932. Registered.....1932.

Abstract.

Court - Criminal and Civil - Police officials - Payment of expenses - reciprocal arrangement between the Government of Madras and Mysore Assigned Tract - Rules issued.

Law (General) Department.
G.O.No.MS.1781., dated the 2nd May 1932.

***

Read the following:-

G.O.No.930 Home (Judl.) Department, dated 8-4-1920.

From the Accountant-General, Madras, No.Pol. 111-411, dated 3-10-1931.
Letter to the Hon'ble the Chief Justice, No.4830A-2, dated 11-11-1931.
From the Registrar, High Court, No.R.O.C.4280 B-1/31, dated 26-2-1932.

O R D E R:-

The Government have entered into a reciprocal arrangement with the Government of India representing the Mysore Assigned Tract (Civil and Military Station, Bangalore) under which police officials of one Government appearing as witnesses before Civil and Criminal courts of the other will be paid travelling allowance and batta at their own rates by the Government under whom they are serving, on production of certificates of attendance issued by the courts before which the officials appear as witnesses.

2. The following notification will be published in the Fort St. George Gazette:-

Notification.

Under section 544 of the Code of Criminal Procedure, 1898, the Governor in Council is pleased to make the following addition to the rules for the payment of expenses of complainants and witnesses attending Criminal Courts in the Madras Presidency, published in Notification Nos. 386 and 387 on pages 525-528 of Part I of the Fort St. George Gazette dated 20th April 1920 as subsequently

other expenses
witnesses before
Government is a
(By

subsequently amended:-

Rules for the payment of the expenses of complainants and witnesses attending criminal courts in the city of Madras.

Add the following as rule 20:-

Police officials of the Madras Government or the Government of India employed in the Mysore Assigned Tract (Civil and Military Station, Bangalore) appearing as witnesses before the Criminal Courts of the other will be paid travelling allowance at its own rates by the Government under which they are serving, on production of certificates of attendance issued by the courts before which they appear as witnesses.

Rules for the payment of the expenses of complainants and witnesses attending criminal courts in the Madras Presidency outside the Presidency town.

Add the following as rule 16:-

"Police officials of the Madras Government or of the Government of India employed in the Mysore Assigned Tract (Civil and Military Station, Bangalore) appearing as witnesses before the Criminal Courts of the other will be paid travelling allowance at its own rates by the Government under which they are serving, on production of certificates of attendance issued by the Courts before which they appear as witnesses."

3. The Hon'ble the Judges of the High Court are requested to incorporate these rules in the Criminal Rules of Practice, Revised edition.

4. The revised Rule 4-A(2) of Order XVI of Schedule I to the Code of Civil Procedure, 1908 (copy enclosed) admits of reciprocity in the matter of payment of travelling allowance and

other

other expenses of officials of one Government appearing as witnesses before Civil Courts of the other, in cases in which Government is a ~~px~~ party.

(By Order of the Governor in Council)

V.N. Viswanatha Rao,

Secretary to Government.

To the Government of India, Foreign and Political Department (with C.L.).
" Hon'ble the Resident in Mysore (with C.L.)
" Hon'ble the Chief Justice (with C.L.)
To All Sessions Judges.
To All District Magistrates.
To the Chief Presidency Magistrate, Madras.
To the Commissioner of Police, Madras.
To the Inspector-General of Police, ~~Mxdx~~
To the Accountant-General.
To the Finance Department.
To the Public (Police) Department (with ~~xxkxxxx~~ enclos.)
To the Law (Drafting) Department.
To the Superintendent, Government Press for publication of notification.

~~Forwarded~~ (By Order)

(True Copy)

V. Venkatesan

Superintendent.

TDG.

P.T.O.

Code of Civil Procedure.

(i) Order XVI Rule 4-A(2)

Substitute the following for O.XVI R-4-A(2):

4-A(2): When any other party to such a suit applies for a summons to such an officer, he shall deposit in Court along with his application a sum of money for the travelling and other expenses of the Officer according to the scale prescribed by the Government under whom the officer is serving and shall also pay any further sum that may be required under Rule 4 according to the same scale; and the money so deposited or paid shall be credited to Government.

(ii) Appendix B:-

Substitute the following for Form No.13-A of Appendix B.

No.13-A: Certificate of attendance to an officer of Government summoned as a witness in a suit to which the Government is a party.

(O.XVI r.4-A)

(Cause Title)

This is to certify that (name) (designation) being a Government servant from the Province of (name) was summoned to give evidence in his official capacity on behalf of the plaintiff/defendant in the above suit/matter and was in attendance in this court from the day of to the day of 193 (inclusive) and that a sum of Rupees has been paid into Court by the Plaintiff/defendant towards his travelling and subsistence allowance for days according to the scale prescribed by the Government of the province of (name) and that the said amount has been/will be remitted to the Government treasury at to be credited to Government under the head"XVI-A Miscellaneous Fees and Fines."